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Hearing Date: To be set by the Court

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

**NOTICE OF TRUSTEE'S MOTION FOR AN ORDER
AFFIRMING TREATMENT OF PROFIT WITHDRAWAL TRANSACTIONS**

PLEASE TAKE NOTICE that Irving H. Picard, as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) and the estate of Bernard L. Madoff, by and through his undersigned counsel, will move before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, New York, New York 10004, at a date to be determined, for entry of an order affirming the Trustee’s treatment of Profit Withdrawal Transactions,¹ as they relate to BLMIS customer claims;

PLEASE TAKE FURTHER NOTICE that a scheduling order was entered by this Court on June 25, 2015 (the “Profit Withdrawal Scheduling Order”) relating to this Motion to Affirm Trustee’s Treatment of Profit Withdrawal Transactions (the “Profit Withdrawal Motion”), and is attached hereto as Exhibit A. As stated in the Profit Withdrawal Scheduling Order, BLMIS accountholders who (i) filed a timely customer claim and (ii) who are identified in the Trustee’s Motion as being affected by the Profit Withdrawal Issue may participate in litigation on the Profit Withdrawal Issue (“Participating Claimants”) in accordance with the schedule set forth in the Profit Withdrawal Scheduling Order; and

PLEASE TAKE FURTHER NOTICE that any briefs, declarations, documents, or other support filed by Participating Claimants must conform to applicable rules of this Court and be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004 by no later than **April 14, 2016** (with a courtesy copy delivered to the Chambers of the Honorable Stuart M. Bernstein) and must be served upon (a) Baker & Hostetler LLP, counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: David J.

¹ Capitalized terms not defined herein shall have the meaning ascribed to them in the Trustee’s accompanying memorandum of law.

Sheehan; and (b) Securities Investor Protection Corporation, 805 15th Street, N.W., Suite 800, Washington, D.C. 20005, Attn: Kevin H. Bell and Christopher LaRosa; and

PLEASE TAKE FURTHER NOTICE that the Court shall hold a hearing on the Profit Withdrawal Motion at a time to be determined by the Court.

Dated: New York, New York
July 14, 2015

/s/ David J. Sheehan

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